

1 **CITY OF SEABROOK**
2 **ORDINANCE NO. 2015-20**

3
4 **AMENDMENT TO THE OFFICIAL ZONING MAP**
5 **TO REZONE 6.322 ACRES OF TRACT 31, ABSTRACT 52, RITSON MORRIS**
6 **SURVEY, HARRIS, COUNTY, TEXAS, LOCATED EAST OF**
7 **OLD HIGHWAY 146 AND IMMEDIATELY NORTH OF RED BLUFF ROAD**
8 **FROM C-2 TO R-2**
9

10 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
11 SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF
12 ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2,
13 "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING
14 THE PROPERTY LOCATED ON TRACT 31, BEING AN 6.322 ACRES TRACT OF
15 LAND SITUATED IN ABSTRACT 52 IN THE RITSON MORRIS SURVEY, HARRIS
16 COUNTY, TEXAS, FROM C-2 COMMERCIAL-MEDIUM DISTRICT TO R-2
17 RESIDENTIAL-SINGLE FAMILY DETACHED SMALL LOT DISTRICT;
18 REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS
19 AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF
20 SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN
21 \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION
22 INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
23 INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR
24 SEVERABILITY.
25

26
27 **WHEREAS**, the applicants, Stonemarc One, LLC, De Four Trace Seabrook,
28 Texas, as owners, applied for a zoning change for a 6.322 acres tract of land located east
29 of Old Highway 146, and immediately north of Red Bluff Road, identified as Tract 31,
30 situated in Abstract 52 of the Ritson Morris Survey, Harris County, Texas, more
31 specifically described in the attached Exhibit "A"; and
32

33 **WHEREAS**, all public notices have been published, mailed and provided in
34 accordance with statute and Appendix A of the City Code of Ordinances (Zoning Code);
35 and
36

37 **WHEREAS**, the Planning and Zoning Commission and the City Council have
38 conducted, in the time and manner required by law and the Zoning Ordinance of the City,
39 public hearings on such request; and
40

41 **WHEREAS**, the Planning and Zoning Commission recommended this zoning
42 change at its meeting of September 17, 2015, and has made its final report;
43
44
45
46

47
48
49
50 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE**
51 **CITY OF SEABROOK, STATE OF TEXAS:**

52
53 **SECTION 1. FINDINGS.**
54

55 The facts and matters set forth in the preamble of this Ordinance are hereby found
56 to be true and correct.
57

58 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO**
59 **THE OFFICIAL ZONING MAP.**
60

61 The Seabrook City Code of Ordinances, Appendix A, "Comprehensive Zoning",
62 Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby amended by
63 rezoning 6.322 acres of land identified as of Tract 31, situated in Abstract 52 of the
64 Ritson Morris Survey, Seabrook, Harris County, Texas, located east of Old Highway 146,
65 and immediately north of Red Bluff Road, (more specifically described in the attached
66 Exhibit "A"), from C-2 Commercial-Medium District to R-2 Residential-Single Family
67 Detached Small Lot District.
68

69 The property to be rezoned is shown on the survey, identified as Exhibit A and the
70 metes and bounds description, identified as Exhibit B, both of which said Exhibits which
71 are incorporated herein by reference.
72

73 Upon passage of this Ordinance, the official zoning map of the City of Seabrook
74 shall be amended to reflect this change.
75

76 **SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**
77

78 This ordinance is hereby incorporated and made a part of the Seabrook City Code.
79 Violation of this Ordinance is subject to the penalty section of said Code including,
80 Section 11.06, "Criminal Enforcement" which provides that any person who shall violate
81 any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon
82 conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation
83 shall constitute a separate offense.
84

85 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**
86

87 All ordinances or parts of ordinances in conflict or inconsistent with this
88 Ordinance are hereby expressly repealed.
89
90

91
92 **SECTION 5. SEVERABILITY.**
93

94 In the event any clause phrase, provision, sentence, or part of this Ordinance or
95 the application of the same to any person or circumstances shall for any reason be
96 adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not
97 affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof
98 other than the part declared to be invalid or unconstitutional; and the City Council of the
99 City of Seabrook, Texas, declares that it would have passed each every part of the same
100 notwithstanding the omission of any such part thus declared to be invalid or
101 unconstitutional, whether there be one or more parts.
102

103 **SECTION 6. NOTICE**
104

105 The City Secretary shall give notice of the enactment of this Ordinance by
106 promptly publishing it or its descriptive caption and penalty after final passage in the
107 official newspaper of the City; the Ordinance to take effect upon publication.
108
109

110 PASSED AND APPROVED on first reading this _____ day of
111 _____, 2016.
112

113 PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day
114 of _____ 2016.
115
116

117 By: _____
118 Glenn R. Royal
119 Mayor

120 ATTEST:
121
122
123

124 By: _____
125 Robin Hicks, TRMC
126 City Secretary
127
128
129

130 APPROVED AS TO FORM:
131
132
133
134 _____
135 Steven L. Weathered
136 City Attorney